

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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ET NUMBER	ANTICIPATED (APPLICATION:	CLASSIFICATION OF THIS	PRIOR APPLICATION	7763	
V	CLASS	SUBCLASS	EXAMINER	ART UNIT	
6683.26USC1			B. Snow	3738	

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EL674896970US

Date of Deposit: February 6, 2001

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

CONTINUATION APPLICATION UNDER 37 C.F.R. § 1.53(b)

BOX PATENT APPLICATION

Assistant Commissioner for Patents Washington, DC 20231

Dear Sir:

This is a request for filing a continuation application under 37 CFR § 1.53(b) of Serial No. 09/045,213, filed on March 20, 998 entitled INTERVERTEBRAL IMPLANT WITH REDUCED CONTACT AREA AND METHOD by the following inventor(s):

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Full Name	Family Name	First Given Name	Second Given Name
Of Inventor	Kohrs	Douglas	Kohrs
Residence	City	State or Foreign Country	Country of Citizenship
-& Citizenship	Edina	Minnesota	U.S.A.
Post Office Address	Post Office Address	City	State & Zip Code/Country
Address	7432 Hyde Park Drive	Edina	MN 55439/U.S.A.

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- Enclosed is a copy of the prior application; including the specification, claims, drawings, oath or declaration showing the applicant's signature, and any amendments referred to in the oath or declaration filed to complete the prior application. (It is noted that no amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.) The continuing application is as follows: 17 pages of specification, 35 claims, 1 pages of abstract, 8 sheets of drawings, and 4 pages of oath or declaration.
- 冈 The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- 2. Cancel original claims 2-35 of this application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- \boxtimes 3. The filing fee is calculated below:

CLAIMS AS FILED

NUMBER FILED		NUMBER EXTRA		RATE	FEE 78
TOTAL CLAIMS:	-20	. 0	x	\$18.00	0.00
INDEPENDENT CLAIMS	-3	0	x	\$80.00	0.00
				BASIC FILING FEE:	\$710.00
				TOTAL FILING FEE:	710.00
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		Small entity status is claimed pursuant to 37 CFR 1.27.		
4.	\boxtimes	Payment of fees:		
5. 5. 5. 7. 8.	\boxtimes	The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §§ 1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-2725.		
≒્β. =્β. =:		Amend the specification by inserting before the first line the sentence:		
] _7.		A set of formal drawings (sheets) is enclosed.		
* 8.		Priority of application Serial No., filed on in, is claimed under 35 U.S.C. 119.		
		The certified copy has been filed in prior application Serial No., filed.		
	\boxtimes	The prior application is assigned of record to Sulzer Spine-Tech Inc. located at Minneapolis, Minnesota.		
= 10.	\boxtimes	The Power of Attorney in the prior application is to:		
==		Merchant & Gould P.C. Minneapolis, MN 55402-2215		
11.	\boxtimes	A preliminary amendment is enclosed.		
		Fee for excess claims is attached.		
12.		A petition and fee has been filed to extend the term in the prior application until. A copy of the petition for extension of time in the prior application is attached.		
13.		The inventor(s) in this application are less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:		
14.		A Nonpublication Request under 37 CFR 1.213(a) is enclosed.		
15.		Also Enclosed:		

- 16. Address all future communications to the Attention of James R. Chiapetta (may only be completed by attorney or agent of record) at the address below.
- 17. A return postcard is enclosed.

. Date: 02/06/01

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903

Minneapotis, MN 55402-0903
612:332.5300

James R. Chiapetta

Reg. No. 39,634

JRC:jkc